

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

BLAKE McRAE McILWAIN AND
SANDRA K. McILWAIN

PLAINTIFFS

V.

CIVIL ACTION NO. 1:06cv577-LTS-RHW

UNITED SERVICES AUTOMOBILE ASSOCIATES
DOING BUSINESS AS USAA

DEFENDANT

ORDER OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41, Plaintiffs have filed a [16] Motion for Leave to Voluntarily Dismiss Claim Without Prejudice. Defendant, through counsel, advises the Court that it has no objections to this request.

Accordingly, **IT IS ORDERED:**

Plaintiffs' [16] Motion to Voluntarily Dismiss Claim Without Prejudice is **GRANTED**;

This cause of action is hereby **DISMISSED, WITHOUT PREJUDICE**, with each party to bear their own costs.

SO ORDERED this the 31st day of October, 2006.

s/ *L. T. Senter, Jr.*
L. T. Senter, Jr.
Senior Judge